

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TIMOTHY KENNEDY,
Plaintiff,

ECF Case

Index No. : 07 CV 10622

-against-

AFFIDAVIT OF SERVICE

THE CITY OF NEW YORK; N.Y.P.D. OFFICER
JUAN RODRIGUEZ, badge 10703;
N.Y.P.D. OFFICERS DOE ONE TO FIVE, not
yet identified,
Defendants.

State of New York)
) ss.:
County of New York)

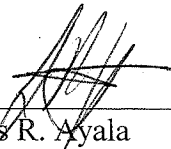
Luis R. Ayala, being duly sworn, deposes and says that the deponent is not a party to this action, is over the age of eighteen years, is an independent process server (license number 1024905), and resides in the State of New Jersey:

(1) That on the 27th day of November 2007 at 4:50 p.m., deponent served a Summons and Complaint in the above-captioned matter upon defendant City of New York at the New York City Law Department, 100 Church St., New York, NY. The documents were accepted and stamped by Tamekia Mendes Gammon, docketing clerk #7.

(2) That on the 6th day of December 2007 at 9:00 p.m., deponent served a Summons and Complaint in the above-captioned matter upon defendant Juan Rodriguez at his place of employment, NYPD 20th Precinct, 120 W. 82nd St., New York, NY 10024. The documents were accepted and signed for by P.O. Pacheco, shield no. 953. P.O. Pacheco was Latino, approximately 25 years old, 5'7" tall, 170 pounds with black hair.

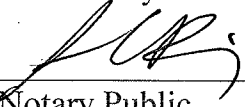
(3) That on the 12th day of December 2007, deponent mailed a true copy of the

Summons and Complaint to defendant Rodriguez at the same address where he was served as indicated in paragraph (2) above. The envelope was marked "Personal and Confidential" and without any indication that communication was from an attorney or concerned any action against the defendant. The envelope was placed in a U.S. mailbox at 23rd Street and 6th Avenue, New York, NY.



Luis R. Ayala
158 Carteret St., Glen Ridge, NJ 07028

Sworn to and Subscribed Before Me
the 12th day of December 2007



Notary Public

SUSAN C. BAILEY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BA6121503
Qualified in New York County
Commission Expires January 18, 2009